

IN RE: PETITION FOR RESIDENTIAL * BEFORE THE
 ZONING VARIANCE *
 S/S Bullneck Road, 457.64' (+/-) * ZONING COMMISSIONER
 E of c/l Longpoint Road *
 8115 Bullneck Road * OF BALTIMORE COUNTY
 12th Election District *
 7th Councilmanic District * Case No. 96-500-A
 Cordell L. Turck, et ux *
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Cordell L. Turck and Rita F. Turck, his wife, for that property known as 8115 Bullneck Road in the Murray Point subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 25 ft., in lieu of the required 30 ft., for an attached addition. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING

Date

By

7/19/96
 M. G. G. G.

MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and is subject to compliance with the recommendations to be made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (BCZR). The relief granted herein shall be conditioned upon Petitioners' compliance with said findings.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of July, 1996 that the Petition for a Zoning Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 25 ft., in lieu of the required 30 ft., for an attached addition, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall comply with the Department of Environmental Protection and Resource Management recommendations dated July 8, 1996 (copy attached).
3. The Petitioners shall comply with the Development Plans Review Division recommendations dated July 5, 1996 (copy attached).


ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

L.E.S:mmm

ORDER RECEIVED FOR FILING

Date

7/19/96

By

M. Horak

INTEROFFICE CORRESPONDENCE

Date: July 5, 1996

SUBJECT: Zoning Advisory Committee Meeting
For July 8, 1996
Item No. 500

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the floodplain elevation in all construction.

cc: File

ZONE16A

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

July 8, 1996

FROM: Robert A. Wirth *RAW/GP*
DEPRM

SUBJECT: Zoning Item #500 - Turck Property
8115 Bullneck Road
Zoning Advisory Committee Meeting of July 1, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RAW:SA:jbm

c: Cordell & Rita Turck

TURCK/DEPRM/TXTSBP

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 19, 1996

Mr. and Mrs. Cordell L. Turck
8115 Bullneck Road
Baltimore, Maryland 21222

RE: Petition for Administrative Variance
Case No. 96-500-A
Property: 8115 Bullneck Road

Dear Mr. and Mrs. Turck:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

MICROFILMED





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

815 Bullweck Rd

which is presently zoned

DR5.5

96-500-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 (BCZR)

To allow a proposed attached addition rear setback of 25' in lieu of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Hardship for my widowed father to live.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

MICROFILMED
Zoning Commissioner of Baltimore County

REVIEWED BY: R.T. DATE: 6-18-96



Printed with Soybean Ink
on Recycled Paper

ITEM #: 500

ESTIMATED POSTING DATE: _____

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8115 BULLNECK ROAD
address
BALTIMORE CO. MARYLAND 21222
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

HARDSHIP for need of Housing
for my Dad. He is A NEW WIDOWER
needs a place to LIVE AND
someone TO CARE for Him.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Cordell L. Turck
(signature)
CORDELL L. TURCK
(type or print name)



Rita F. Turck
(signature)
RITA F. TURCK
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of June, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Cordell Turck & Rita Turck

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6/10/94
date

Renee A. Kolbe
NOTARY PUBLIC

My Commission Expires:

RENEE A. KOLBE
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires June 18, 1996

FRANK S. LEE

96-500-A

Registered Land Surveyor

1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

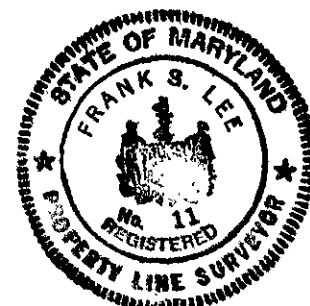
June 5, 1996

No. 8115 Bullneck Road
12th District Baltimore County, Maryland

Beginning for the same on the south side of Bullneck Road at the distance of 457.63 measured northeasterly along the south side thereof from the north side of Longpoint Road and being known as Lot 8, Block 2, Section "A", Murray Point, said plat being recorded among the land records of Baltimore County in Plat Book 12 folio 84.

Containing 4390 square feet, 0.10 acres of land more or less.

ITEM # 500



MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 96-500-A
Towson, Maryland

District 12th Date of Posting 6/24/96

Posted for: Veronica

Petitioner: Cordell & Rita Turk

Location of property: 8115 Belhurst Rd.

Location of Signer: Facing roadway on property being zoned

Remarks: _____

Posted by M. Kelly Date of return: 7/3/96

Number of Signs: 1

MICROFILMED



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCIAL REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

1000000

DATE 6-18-96 ACCOUNT 1001-0150

AMOUNT \$ 85.00

RECEIVED FROM: 1001 F. Turck

010 -- Variance -- \$50.00 ITEM # 000
080 -- Sign -- \$35.00 Taken by: 1001

FOR: \$ 85

MICROFILMED

0 10010023MICHR
0009136AM06-18-96

\$85.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 500 Petitioner: _____

Location: 8115 Bullneck Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Cordeell L. Turck + Robt F. Turck

ADDRESS: 8115 Bullneck Rd
Balch. Md 21222

PHONE NUMBER: (410) 282-3077

MICROFILMED

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____
prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

public private
SEWER: ☐ ☐

WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 27, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-500-A (Item 500)
8115 Bullneck Road
S/S Bullneck Road, 457.64' +/- E of c/l Longpoint Road
12th Election District - 7th Councilmanic
Legal Owner(s): Cardell L. Turck and Rita F. Turck

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before June 30, 1996. The closing date (July 15, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Cordell and Rita Turck

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 10, 1996

Cordell and Rita Turck
8115 Bullneck Road
Baltimore, MD 21222

RE: Item No.: 500
Case No.: 96-500-A
Petitioner: Cordell Turck, et ux

Dear Mr. and Mrs. Turck:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 18, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Robert A. Wirth *RAW/GP*
DEPRM

SUBJECT: Zoning Item #500 - Turck Property
8115 Bullneck Road
Zoning Advisory Committee Meeting of July 1, 1996

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

TURCK/DEPRM/TXTSBP

MICROFILMED

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: July 5, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 For July 8, 1996
 Item No. 500

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the floodplain elevation in all construction.

The minimum floodplain management elevation for this area is 10.4 feet.

RWB:HJO:jrb

cc: File

ZONE16A

MICROFILMED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

6-28-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 500 (RT)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: June 27, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. Item Nos. 491, 500, 502, 503, 504, 505, 506, 507, and 508

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Cary L. Kerns

PK/JL

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 07/03/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 01, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS, 500, 502, 503, 504, 505, 506,
507 AND 508.

1996

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

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PETITION PROBLEMS

#500 --- RT

1. No telephone number for legal owner.

#507 --- JRF

1. Legal owner signature - trustee for who? Need authorization for this person to sign for legal owner.
2. Contract purchaser - need typed name and title.

#508 --- JRF

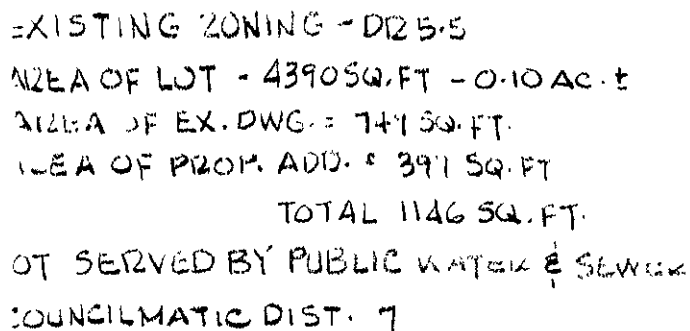
1. Who signed the back of the petition? (Not the legal owner)

June 25, 1996

MICROFILMED

A hand-drawn map of the Bullneck Creek area. The map shows a network of roads: Bullneck Rd, Dundoalk Ave, Cornwall Rd, and Long Point Rd. A small black dot is placed on Bullneck Rd, labeled 'SITE' with a line pointing to it. The area is divided into several rectangular lots by the roads. The text 'BULLNECK CREEK' is written at the top, and 'BULLNECK' is written along the top road. 'DUNDOALK AVE' is written along the bottom road. 'CORNWALL' and 'LONG POINT' are written in the central area. 'RD' is written near the intersections of the roads.

Ref No 1



PLAT TO ACCOMPANY PETITION FOR
VARIANCES
TO PERMIT A REAR YARD SETBACK OF 25
FEET IN LIEU OF THE REQ. 30 FEET.
TO PERMIT SIDE YARD SETBACKS OF 7
FEET AND 8 FEET IN LIEU OF THE REQ.
10 FEET.

ITEM # 500

MICROFILMED

FRANK S. LEE
1277 NEIGHBORS AVE.
BALTIMORE, MD. 21237

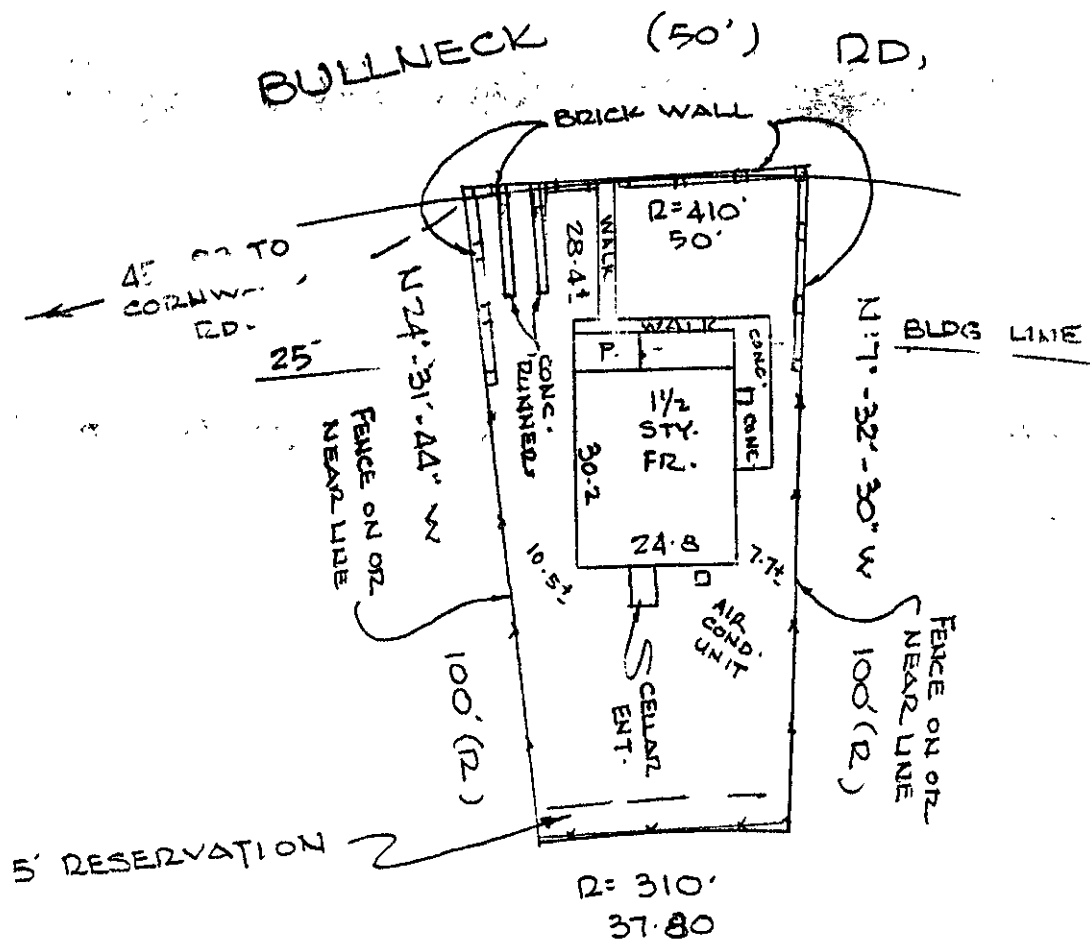
(410) 687-6922

12TH DISTRICT BALTIMORE CO, MARYLAND
SCALE 1"=30' DATE 6-5-76

DATE 6-5-76

This is to certify that I have surveyed the premises known as No. 8115 Bullneck Rd. for the purpose of locating the improvements and the improvements are located as hereon shown.

96-500-A



LOT 8 BLOCK 2 SECTION "A"

MURRAY POINT

PLAT BOOK 12-83

12TH DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 30'

DATE: 8-16-82

ITEM # 500

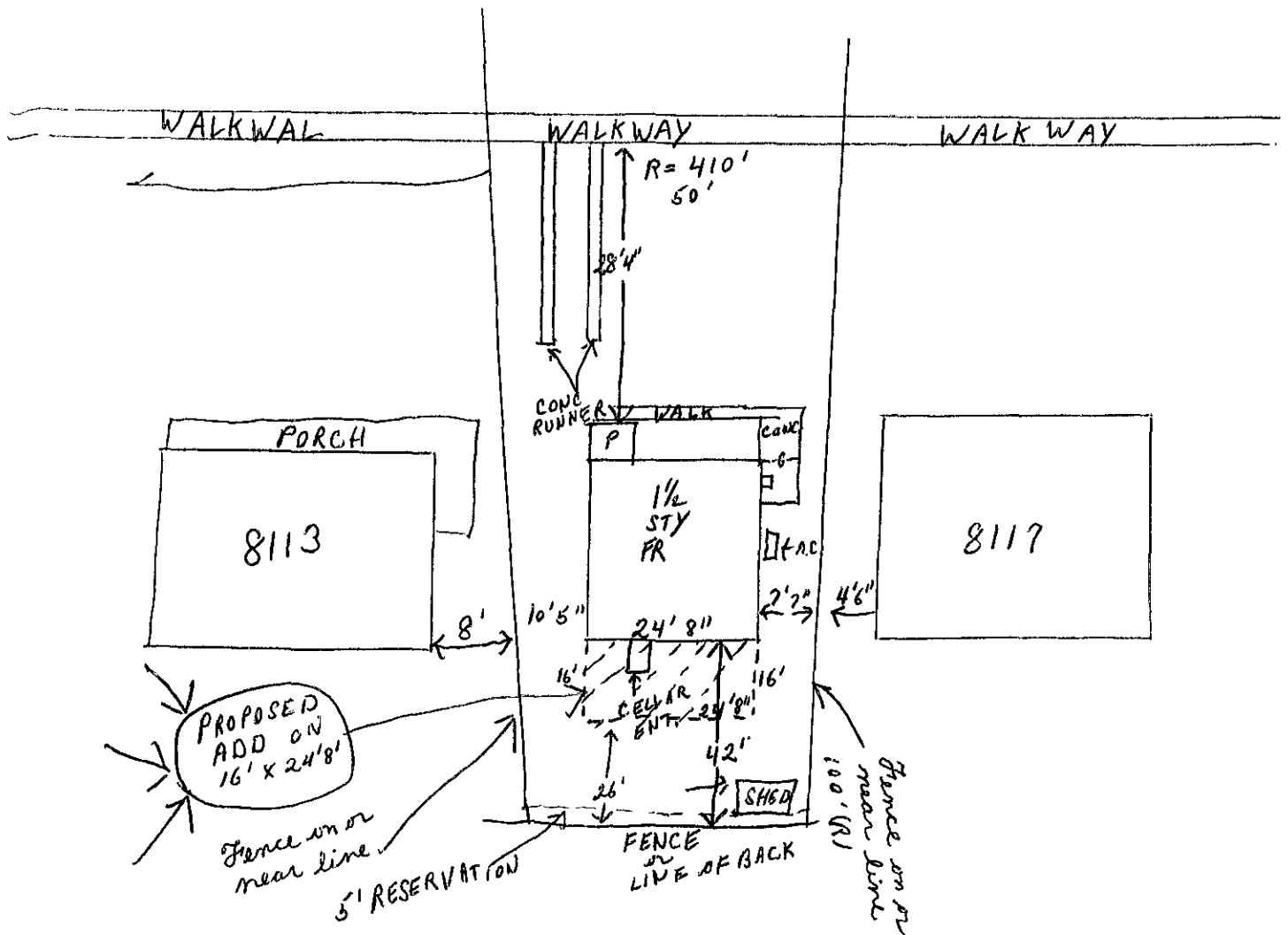
MICROFILMED



FRANK S. LEE
1277 NEIGHBORS AVE.
BALTIMORE, MD. 21237

BULLNECK (50')

ROAD



LOT 8 BLOCK 2 SECTION "Δ"

MURRAY POINT
12th DISTRICT BALTIMORE, COUNTY, MD.

96-500-A

MICROFILMED

ITEM # 500



Side elevation

96-500-A



Side
elevation



rear
elevation



8115

96-500-A



MICROFILMED